

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

CIVIL ACTION NO.: 1:17-cv-00854-TDS-LPA

REBECCA KOVALICH and  
SUZANNE NAGELSKI,

Plaintiffs,

vs.

PREFERRED PAIN  
MANAGEMENT  
& SPINE CARE, P.A., DR. DAVID  
SPIVEY, individually, and SHERRY  
SPIVEY, individually,

Defendants.

**DEFENDANT DR. DAVID SPIVEY'S**  
**NOTICE OF INTENT TO FILE**  
**MOTION FOR SUMMARY**  
**JUDGMENT AS TO PLAINTIFF**  
**REBECCA KOVALICH**

Pursuant to Local Rule 56.1(a), Defendant, Dr. David Spivey, by and through his undersigned counsel, hereby gives notice of his intent to file a Motion for Summary Judgment as to the claims of Plaintiff Rebecca Kovalich in the above-captioned matter.

Respectfully submitted this the 12<sup>th</sup> day of September, 2018.

JACKSON LEWIS P.C.

/s/ Ann H. Smith

ANN H. SMITH

N.C. State Bar No. 23090

CAITLIN M. GOFORTH

N.C. State Bar No. 49227

*Attorneys for Defendants*

3737 Glenwood Avenue, Suite 450

Raleigh, NC 27612

Telephone: (919) 760-6460

Facsimile: (919) 760-6461

Email: [Ann.Smith@jacksonlewis.com](mailto:Ann.Smith@jacksonlewis.com)

Email: [Caitlin.Goforth@jacksonlewis.com](mailto:Caitlin.Goforth@jacksonlewis.com)

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
CIVIL ACTION NO.: 1:17-cv-00854-TDS-LPA

REBECCA KOVALICH and  
SUZANNE NAGELSKI,

Plaintiffs,

vs.

PREFERRED PAIN  
MANAGEMENT  
& SPINE CARE, P.A., DR. DAVID  
SPIVEY, individually, and SHERRY  
SPIVEY, individually,

Defendants.

**CERTIFICATE OF  
SERVICE**

The undersigned certifies that on September 12, 2018, the foregoing *Defendant Dr. David Spivey's Notice of Intent to File Motion for Summary Judgment as to Plaintiff Rebecca Kovalich* was electronically filed with the Clerk of the Court, using the Court's CM/ECF electronic service system, which will send notification of such filing as follows:

Sean F. Herrmann, Esq.  
Van Kampen Law P.C.  
315 East Worthington Avenue  
Charlotte, NC 28203  
[sean@vankampenlaw.com](mailto:sean@vankampenlaw.com)  
*Attorney for Plaintiffs*

/s/ Ann H. Smith  
ANN H. SMITH  
N.C. State Bar No. 23090  
CAITLIN M. GOFORTH  
N.C. State Bar No. 49227  
Jackson Lewis P.C.  
*Attorneys for Defendants*  
3737 Glenwood Avenue, Suite 450  
Raleigh, NC 27612  
Telephone: (919) 760-6460  
Facsimile: (919) 760-6461  
Email: [Ann.Smith@jacksonlewis.com](mailto:Ann.Smith@jacksonlewis.com)  
Email: [Caitlin.Goforth@jacksonlewis.com](mailto:Caitlin.Goforth@jacksonlewis.com)